

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STEPHEN SLEVIN,

Plaintiff,

v.

No. CIV 08-01185 MV/DJS

BOARD OF COMMISSIONERS FOR THE
COUNTY OF DOÑA ANA, et al.,

Defendants.

SPECIAL VERDICT FORM

FILED
UNITED STATES DISTRICT COURT
SANTA FE, NEW MEXICO

JAN 24 2012

MATTHEW J. DYKMAN
CLERK

Question No. 1:

- A. Do you find by a preponderance of the evidence that Defendant Barela is liable for depriving Plaintiff of his constitutional right to humane conditions of confinement?

Yes ☒ No ☐

- B. Do you find by a preponderance of the evidence that Defendant Barela is liable for depriving Plaintiff of his constitutional right to receive adequate medical attention?

Yes ☒ No ☐

- C. Do you find by a preponderance of the evidence that Defendant Barela is liable for depriving Plaintiff of his procedural due process rights?

Yes ☒ No ☐

If you answered "yes" to ANY subpart of Question 1, please answer Questions 2 through 4.

If you answered "no" to ALL subparts of Question 1, please skip Questions 2 through 4 and move on to Question 5.

Question No. 2:

Do you find by a preponderance of the evidence that Plaintiff is entitled to compensatory damages from Defendant Barela as a result of his deprivation of Plaintiff's constitutional rights?

Yes ☒ No ☐

Question No. 3:

- A. Do you find by a preponderance of the evidence that Plaintiff is entitled to punitive damages from Defendant Barela as a result of his deprivation of Plaintiff's constitutional rights?

Yes ☒ No ☐

If you answered "yes" to Question 3(A), please answer Question 3(B).

If you answered "no" to Question 3(A), please skip Question 3(B) and move on to Question 4.

- B. What is the amount of punitive damages to which Plaintiff is entitled against Defendant Barela?

3 million dollars

Question No. 4:

- A. Do you find by a preponderance of the evidence that Defendant Board of Commissioners for the County of Doña Ana is liable for Defendant Barela's deprivation of Plaintiff's constitutional rights?

Yes ☒ No ☐

If you answered "yes" to Question 4(A), please answer Question 4(B).

If you answered "no" to Question 4(A), please skip Question 4(B) and move on to Question 5.

- B. Do you find by a preponderance of the evidence that Plaintiff is entitled to compensatory damages from Defendant Board of Commissioners for the County of Doña Ana as a result of Defendant Barela's deprivation of Plaintiff's constitutional rights?

Yes ☒ No ☐

Question No. 5:

A. Do you find by a preponderance of the evidence that Defendant Zemek is liable for depriving Plaintiff of his constitutional right to humane conditions of confinement?

Yes ☒

No ☐

B. Do you find by a preponderance of the evidence that Defendant Zemek is liable for depriving Plaintiff of his constitutional right to receive adequate medical attention?

Yes ☒

No ☐

C. Do you find by a preponderance of the evidence that Defendant Zemek is liable for depriving Plaintiff of his procedural due process rights?

Yes ☒

No ☐

If you answered "yes" to ANY subpart of Question 5, please answer Questions 6 through 8.

If you answered "no" to ALL subparts of Question 5, please skip Questions 6 through 8 and move on to Question 9.

Question No. 6:

Do you find by a preponderance of the evidence that Plaintiff is entitled to compensatory damages from Defendant Zemek as a result of his deprivation of Plaintiff's constitutional rights?

Yes ☒

No ☐

Question No. 7:

A. Do you find by a preponderance of the evidence that Plaintiff is entitled to punitive damages from Defendant Zemek as a result of his deprivation of Plaintiff's constitutional rights?

Yes ☒

No ☐

If you answered "yes" to Question 7(A), please answer Question 7(B).

If you answered "no" to Question 7(A), please skip Question 7(B) and move on to Question 8.

- B. What is the amount of punitive damages to which Plaintiff is entitled against Defendant Zemek?

3 1/2 million dollars

Question No. 8:

- A. Do you find by a preponderance of the evidence that Defendant Board of Commissioners for the County of Dofia Ana is liable for Defendant Zemek's deprivation of Plaintiff's constitutional rights?

Yes ☒ No ☐

If you answered "yes" to Question 8(A), please answer Question 8(B).

If you answered "no" to Question 8(A), please skip Question 8(B) and move on to Question 9.

- B. Do you find by a preponderance of the evidence that Plaintiff is entitled to compensatory damages from Defendant Board of Commissioners for the County of Dofia Ana as a result of Defendant Zemek's deprivation of Plaintiff's constitutional rights?

Yes ☒ No ☐

Question No. 9:

- A. Do you find by a preponderance of the evidence that Defendant Barela is liable for violating Plaintiff's rights under the Americans with Disabilities Act?

Yes ☒ No ☐

If you answered "yes" to Question 9(A), please answer Question 9(B).

If you answered "no" to Question 9(A), please skip Question 9(B) and move on to Question 10.

- B. Do you find by a preponderance of the evidence that Plaintiff is entitled to compensatory damages from Defendant Barela as a result of his violation of Plaintiff's rights under the Americans with Disabilities Act?

Yes ☒

No ☐

Question No. 10:

- A. Do you find by a preponderance of the evidence that Defendant Doña Ana County Detention Center committed the tort of false imprisonment against Plaintiff?

Yes ☒

No ☐

If you answered "yes" to Question 10(A), please answer Question 10(B).

If you answered "no" to Question 10(A), please skip Question 10(B) and move on to Question 11.

- B. Do you find by a preponderance of the evidence that Plaintiff is entitled to compensatory damages from Defendant Doña Ana County Detention Center for its commission of the tort of false imprisonment against Plaintiff?

Yes ☒

No ☐

Question No. 11:

- A. Do you find by a preponderance of the evidence that Defendant Doña Ana County Detention Center is liable for committing the tort of negligent operation or maintenance of a building?

Yes ☒

No ☐

If you answered "yes" to Question 11(A), please answer Question 11(B).

If you answered "no" to Question 11(A), please skip Question 11(B) and continue to Question 12.

B. Do you find by a preponderance of the evidence that Plaintiff is entitled to compensatory damages from Defendant Doña Ana County Detention Center as a result of its commission of the tort of negligent operation or maintenance of a building?

Yes ☒ No ☐

Question No. 12:

If you answered "yes" to ANY of the following questions: Question 2, 4(B), 6, 8(B), 9(B), 10(B), OR 11(B), please answer Question 12.

If you answered "no" to ALL of the following questions: Question 2, 4(B), 6, 8(B), 9(B), 10(B), AND 11(B), please do not answer any further questions.

What is the amount of compensatory damages to which Plaintiff is entitled?

15.5 million
500k a month while incarcerated x 23 months → 11.5 million
1 million a year post incarceration → + 4 million
15.5 million

Jan 24th 2012
DATE


FOR PERSON